

UNITED STATES OF AMERICA,
Respondent,

vs.

SCOTT MICHAEL VOGELSANG,

Movant.

No. CR S-02-0151-MCE-CMK
CIV S-07-0247-MCE-CMK

ORDER

Movant, a federal prisoner proceeding pro se, brings this motion to correct or set aside a criminal judgment pursuant to 28 U.S.C. § 2255. Movant has requested the appointment of counsel (Docs. 228 & 233). There currently exists no absolute right to appointment of counsel in § 2255 proceedings. See Irwin v. United States, 414 F.2d 606 (9th Cir. 1969). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” Rule 8(c), Rules Governing Section 2255 Proceedings. In the present case, the court does not find that the interests of justice would be served by the appointment of counsel.

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4 Accordingly, IT IS HEREBY ORDERED that movant's motions for appointment
5 of counsel (Docs. 228 and 233) are denied.
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8 DATED: February 12, 2008

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10 **CRAIG M. KELLISON**
11 UNITED STATES MAGISTRATE JUDGE
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